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UNCLAS WELLINGTON 000020

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E.O. 12958: N/A

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SUBJECT: SENTENCING IN NEW ZEALAND'S LARGEST PASSPORT FRAUD CASE

REF: 04 WELLINGTON 911

¶1. (U) Following their conviction for conspiring to commit forgery in October (reftel), refugees to New Zealand Iraqi Fahad Jaber AJEIL and his brother-in-law, Kuwaiti Riyad Hamied SULTAN, were sentenced December 20 in the Auckland District Court. Ajeil, who had been found guilty on 14 forgery-related charges, received a five-year prison term, and Sultan, guilty of only one conspiracy charge, was sentenced to two years in prison. The Crown Prosecutor had asked for eight years for Ajeil and three to four years for Sultan. (Note: Ajeil's conviction for possession of implements of forgery, for example, carries a maximum jail term of ten years.)

¶2. (U) While this case has been described as the largest of its type in New Zealand, in handing down the sentences Judge Nicola Mathers expressed doubt as to how and when the forged documents were to have been used - whether for use in acts of terrorism or, as the defense lawyer alleged, to provide temporary residence documents to stateless Bedouins in Kuwait. While she noted the seriousness of the crimes, Mathers then stated that the offenses were not at "the top end of the scale." In handing down the sentence, Mathers referenced the role played by Kuwaiti Dr. Abu-Shaab, who the defense maintained was the ringleader of the operation, and who was charged with conspiracy in absentia. She noted that the NZ Police's inability to speak with Dr. Abu-Shaab was a matter of concern.

Swindells